

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

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IN RE PHARMACEUTICAL INDUSTRY : MDL 1456
AVERAGE WHOLESALE PRICE :
LITIGATION, :
: Master File No. 01-CV-12257-PBS
THIS DOCUMENT RELATES TO: :
ALL ACTIONS :
: Judge Patti B. Saris
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**MOTION TO ENLARGE THE TIME FOR NON-PARTIES
FIRST DATABANK, INC. AND PATRICIA KAY MORGAN TO FILE THEIR
OPPOSITION TO DEFENDANTS' MOTION TO ENFORCE SUBPOENA FOR,
AND COMPEL THE DEPOSITION OF PATRICIA KAY MORGAN**

Non-parties First DataBank, Inc. and Patricia Kay Morgan, respectfully move this Court for an order enlarging by one week (to August 20, 2004) the time within which they may file their Opposition to the Motion of Defendants, Novartis Pharmaceuticals Corporation and Bristol-Myers Squibb Company, to compel deposition testimony from Patricia K. Morgan.

As grounds for this motion, the undersigned counsel for the said non-parties state that they have only recently been retained to represent the said non-parties with respect to the discovery matter before the Court; that the motion at issue was served on July 30, 2004 and thus an Opposition would be due to be filed in the normal course by August 13, 2004; that the additional time requested -- one week -- is modest; and that the additional time is needed for counsel to prepare an appropriate response to the Defendants' motion.

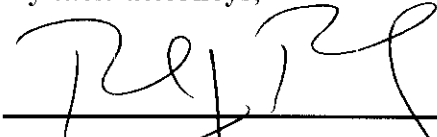
L.R. 7.1 CERTIFICATION

Counsel for the moving Defendants have been consulted, and do not object to the requested enlargement of time.

Respectfully submitted,

**FIRST DATABANK, INC. AND
PATRICIA K. MORGAN,**

By their attorneys,

A handwritten signature in black ink, appearing to read 'RJ Riley', is written over a horizontal line.

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DATED: August 9, 2004